

Mail Stop Interference  
P.O. Box 1450  
Alexandria Va 22313-1450  
Tel: 571-272-9797  
Fax: 571-273-0042

Paper 47  
Filed: 17 April 2009

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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PAUL GILSON, EAMON BRADY, PADRAIG MAHER,  
DAVID VALE and CHARLES TAYLOR  
Junior Party  
(Application 10/058,828),

v.

THOMAS E. BROOME, JOHN M.K. DANIEL and  
THOMAS R. HEKTNER  
Senior Party  
(Patent 7,094,249).

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Patent Interference No. 105,583 (SCM)  
(Technology Center 3700)

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1 Before SALLY GARNER LANE, SALLY C. MEDLEY, and MICHAEL P.  
2 TIERNEY, *Administrative Patent Judges*.  
3  
4 MEDLEY, *Administrative Patent Judge*.

5 Judgment – Request for Adverse – Bd.R. 127(b)

6 A telephone conference call was held on 17 April 2009 at approximately  
7 10:00 a.m., involving:

- 1                   1.     Mr. Callahan, counsel for Gilson,
- 2                   2     Mr. Lawrence, counsel for Broome, and
- 3                   3.     Sally Medley, Administrative Patent Judge.

4           The parties have settled the interference. Mr. Lawrence represented that  
5   Broome requests entry of adverse judgment as to both Counts. 37 C.F.R.  
6   §41.127(b). Broome's request is granted.

7           Accordingly, it is

8                   ORDERED that judgment is entered against Broome for Counts 1  
9   and 2 (Paper 1 at 4; Paper 40 at 1-2);

10                  FURTHER ORDERED that claims 1-11 of Broome's involved  
11   patent are CANCELED, 35 U.S.C. § 135(a);

12                  FURTHER ORDERED that the parties shall note the requirements  
13   of 35 U.S.C. § 135(c) and Bd.R. 205; and

14                  FURTHER ORDERED that a copy of this judgment be entered in  
15   the administrative records of the involved Broome patent and Gilson application.

cc (via e-mail):

Attorney for Gilson:

John T. Callahan, Esq.  
Travis B. Ribar, Esq.  
SUGHRUE MION PLLC  
2100 Pennsylvania Avenue NW  
Suite 800  
Washington, DC 20037-3202

Email: [jcallahan@sughrue.com](mailto:jcallahan@sughrue.com)

Email: [tribar@sughrue.com](mailto:tribar@sughrue.com)

Attorney for Broome:

William F. Lawrence, Esq.  
FROMMER LAWRENCE & HAUG LLP  
745 Fifth Avenue  
New York, NY 10151

Email: [BoxBroome@flhlaw.com](mailto:BoxBroome@flhlaw.com)